

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5462 OF 2004

Smt. Majit Kaur Nile. ... Petitioner
V/s
Ulhasnagar Municipal Corp. & Ors.... Respondents.

Shri Y.R.Shah, Advocate for petitioner.

Shri R.M.Sawant, Advocate for respondent No.1.

**CORAM: A.P.SHAH &
S.U.KAMDAR, JJ**
DATE : 8TH SEPTEMBER, 2004.

P.C. :-

. Petition involves several disputed questions of fact which cannot be decided in writ jurisdiction under Article 226 of the Constitution of India. The petitioner has already instituted a suit being Civil Suit No.111 of 2003 in respect of the very same structure which is pending. It will be open for the petitioner to amend that suit and ask for appropriate relief or petitioner may file fresh suit for necessary reliefs. Petition is accordingly disposed of with liberty to the petitioner to adopt appropriate

proceeding.